

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
)
)
vs.)
) Mag. No. 1-09-MJ-287
DAVID CAMP)

MEMORANDUM AND ORDER

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing was held on Wednesday, July 9, 2009, and the detention hearing was held on Friday, July 10, 2009. Those present included:

- (1) AUSA Jay Woods for the United States of America.
- (2) The defendant, DAVID CAMP.
- (3) Attorney Brandon Raulston for defendant.
- (4) ICE Agent Jonathan Hendrix.
- (5) Courtroom Deputy Kelli Jones.

Upon being sworn the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

The defendant acknowledged he had received a copy of the Criminal Complaint. It was determined he was capable of being able to read and understand these proceedings.

AUSA Woods moved the court the defendant be detained without bail.

Detention Hearing and Preliminary Hearing - Proof

AUSA Woods called ICE Agent Jonathan Hendrix as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint.

Findings

Having heard and considered the testimony of Agent Hendrix during the July 10, 2009 detention hearing and the testimony presented by USPO Brent Starnes at the July 8, 2009 preliminary hearing and the Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there have been

violations of 18 U.S.C. § 2252A(a)(1) and (2), knowingly transported, distributed, and shipped in interstate commerce by any means, including by a computer, any visual depiction, the production of which involved the use of a minor engaging in sexually explicit conduct and which visual depiction was of such conduct, committed in the Eastern District of Tennessee.

(2) There is probable cause to believe the defendant committed the aforesaid offense.

(3) The proof the defendant committed the aforesaid offense is strong.

(4) There are no conditions nor are there any combination of conditions which will reasonably assure the safety of the community or the presence of the defendant at future hearings.

Conclusions

It is ORDERED:

(1) The defendant is held to answer the charges against him in the District Court.

(2) AUSA Wood's motion to detain the defendant without bail is GRANTED for reasons set out in the separate ORDER OF DETENTION PENDING TRIAL filed with this order.

(3) The defendant's next appearance shall be before U.S. Magistrate Judge Susan K. Lee at **10:00 a.m. on Wednesday, July 15, 2009**.

ENTER.

Dated: July 14, 2009

William B. Mitchell Carter

UNITED STATES MAGISTRATE JUDGE